

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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(Rev. 5/1/13)
JUN 30 2014

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

Shreveport DIVISION

Christopher J. Ware

Civil Action No. 5:14-cv-2214 SecP

Plaintiff

DOC 315963

Prisoner # 50,92093

VS.

Judge _____

Louisiana Department of Corrections Magistrate Judge _____
et al.
Defendant

COMPLAINT
PRISONER CIVIL RIGHTS UNDER 42 U.S.C. § 1983

I. Previous Lawsuits

a. Have you begun any other lawsuit while incarcerated or detained in any facility?

Yes ☐ No ☒

b. If your answer to the preceding question is "Yes," provide the following information.

1. State the court(s) where each lawsuit was filed (if federal, identify the District, if state court, identify the County or Parish):

2. Name the parties to the previous lawsuit(s):

Plaintiffs: _____

Defendants: _____

3. Docket number(s): _____

4. Date(s) on which each lawsuit was filed: _____

5. Disposition and date thereof [For example, was the case dismissed and when? Was it appealed and by whom (plaintiff or defendant)? Is the case still pending?]:

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- c. Have you filed any lawsuit or appeal in any federal district court or appeals court which has been dismissed?

Yes ☐ No ☒

If your answer to the preceding question is "Yes," state the court(s) which dismissed the case, the civil action number(s), and the reason for dismissal (e.g., frivolity, malice, failure to state a claim, defendants immune from relief sought, etc.).

II. a. Name of institution and address of current place of confinement:

Caddo Correctional Center, 1101 Forum Dr. Shreveport, La. 7110

- b. Is there a prison grievance procedure in this institution?

Yes ☒ No ☐

1. Did you file an administrative grievance based upon the same facts which form the basis of this lawsuit?

Yes ☐ No ☒

2. If you did not file an administrative grievance, explain why you have not done so.

This action is for Quia-Timet Injunctive Relief against the La. Dept. of Corrections hair-cut policy

3. If you filed an administrative grievance, answer the following question. What specific steps of the prison procedure did you take and what was the result? (For example, for state prisoners in the custody of the Department of Public Safety and Corrections: did you appeal any adverse decision through to Step 3 of the administrative grievance procedure by appealing to the Secretary of the Louisiana Department of Public Safety and Corrections? For federal prisoners: did you appeal any adverse decision from the warden to the Regional Director for the Federal Bureau of Prisons, or did you make a claim under the Federal Tort Claims Act?)

Attach a copy of each prison response and/or decision rendered in the administrative proceeding.

III. Parties to Current Lawsuit:

- a. Plaintiff, Christopher J. Ware SO# 92093 / DOC 315963
Address P.O. Box 70110, Shreveport, La. 71137

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b. Defendant, Louisiana Department of Corrections, et al., is employed as _____ at _____.

Defendant, James LeBlanc, is employed as Secretary L.D.O.C. at P.O. Box 94304, Baton Rouge, La. 7080

Defendant, _____, is employed as _____

_____ at _____.

Additional defendants, _____

IV. Statement of Claim

State the **FACTS** of your case. Specifically describe the involvement and actions of each named defendant. Include the names of all persons involved in the incident(s) or condition(s) giving rise to this lawsuit, and the dates upon which and the places where the incident(s) and/or condition(s) occurred. **YOU ARE REQUIRED TO SET FORTH ONLY FACTUAL ALLEGATIONS. YOU ARE NOT REQUIRED TO SET FORTH LEGAL THEORIES OR ARGUMENTS.**

My case will disposition with me being sentenced to LDOC, in August. Louisiana Department of Public Safety + Corrections has a manditory hair-cut policy in place that imposes a substantial burden on my religious practice. The hair-cut policy is not the least restrictive alternative to achieve D.O.C.'s interest in prison security and being that I am an avowed Rastafarian the cutting of my hair would be a violation of my First Amendment rights according to Federal R.L.U.I.P.A. guidelines. I face the future possibility of irreparable injury absent issuance of injuncion because the time between sentencing and transfer to a D.O.C. facility is too short to prevent loss or injury in that D.O.C. will either force me to cut my hair, sometimes physically, or will place me in disciplinary segregation as punishment when....

continued on seperate sheet

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V. Relief

State exactly what you want the court to provide to you or do for you. Make no legal arguments. Cite no cases or statutes.

I am seeking Quia-Timet and Permanent injunctive relief prohibiting DOC from punishing me for exercising my religious beliefs and compelling DOC to not seek disciplinary sanctions that would be imposed upon me as a consequence of my refusal to adhere to the grooming....

VI. Plaintiff's Declaration

Continued on Seperate sheet

- a. I understand that if I am transferred or released, I must apprise the Court of my address, and my failure to do so may result in this complaint being dismissed.
- b. I understand that I may not proceed without prepayment of costs if I have filed three lawsuits and/or appeals that were dismissed on grounds that the action and/or appeal was frivolous or malicious, or failed to state a claim upon which relief may be granted, unless I am in imminent danger of serious physical injury.
- c. If I am located in a prison participating in the Electronic Filing Pilot Program, I consent to receive orders, notices and judgments by Notice of Electronic Filing.

Signed this 26 day of June, 20 14.

DOC 315963

Prisoner no. (Louisiana Department of
Corrections or Federal Bureau of Prisons)

Chit J. Ware
Signature of Plaintiff

Christopher J. Ware SO. 92093 ROC. 315963
(IV) Statement of Claim (continued)

I refuse the hair-cut.

I am not contesting the shaving of my beard and mustache as I know it is necessary for the initial processing photos plus they will grow back quickly. But having taken the Vow of the Nazarite as all Rastafarians must, cutting the hair on my head would be a disgrace before God. (Numbers 6:1-8)

(V) Relief (continued)

policy. I also seek a declaration that applying the policy to me violates my rights under RLUIPA.